

**A CERTIFIED TRUE COPY**

AUG 11 2004

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED  
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MAIL

AUG 18 2004

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY

**DOCKET NO. 1407**

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUL 26 2004

FILED  
CLERK'S OFFICE

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY  
LITIGATION**

*Mary Gerber v. Wyeth, et al.*, S.D. Florida, C.A. No. 0:04-60295

*Lula M. Westbrook v. Bayer Corp.*, S.D. Mississippi, C.A. No. 2:03-530

*Lamar Alexander, et al. v. Bayer Corp.*, D. South Carolina, C.A. No. 8:04-1762

**CONDITIONAL TRANSFER ORDER (CTO-51)**

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,647 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

AUG 11 2004

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**UNITED STATES OF AMERICA**  
**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

**DIRECT REPLY TO:**

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<http://www.jpml.uscourts.gov>

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AUG 18 2004

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

Bruce Rifkin, Clerk  
215 William Kenzo Nakamura U.S. Courthouse  
1010 Fifth Avenue  
Seattle, WA 98104-1130

Re: MDI-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

*Mary Gerber v. Wyeth, et al.*, S.D. Florida, C.A. No. 0:04-60295  
*Lula M. Westbrook v. Bayer Corp.*, S.D. Mississippi, C.A. No. 2:03-530  
*Lamar Alexander, et al. v. Bayer Corp.*, D. South Carolina, C.A. No. 8:04-1762

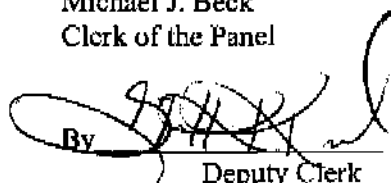
Dear Mr. Rifkin:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the above-captioned actions on July 26, 2004. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

By   
Deputy Clerk

**Attachments**

cc: Transferee Judge: Judge Barbara Jacobs Rothstein  
Transferor Judges: Judge William P. Dimitrouleas, Judge Henry T. Wingate,  
Judge Joseph F. Anderson, Jr.  
Transferor Clerks: Clarence Maddox, J.T. Noblin, Larry W. Propes

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CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck  
Clerk of the Panel

**INVOLVED COUNSEL LIST (CTO-51)**  
**DOCKET NO. 1407**  
**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

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